

COUNTY OF ALBEMARLE

TRANSMITTAL TO THE BOARD OF SUPERVISORS

SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: ZMA201500001 Old Trail Village	AGENDA DATE: February 10, 2016
SUBJECT/PROPOSAL/REQUEST: Ordinance to amend Code of Development, Application Plan, and Proffers for approved ZMA201400004 (Old Trail NMD). No change to maximum allowed density is proposed; Resolution approving special exception to modify the regulations for sign area and sign height	STAFF CONTACT(S): Greg Kamptner, David Benish, Megan Yaniglos PRESENTER (S): Megan Yaniglos

BACKGROUND:

At its meeting on December 15, 2015, the Planning Commission ("PC") voted 6:0 (Firehock absent) to recommend approval of ZMA201500001 with changes recommended by staff as listed on Attachment G of the December 15, 2015 PC staff report, provided that those changes were made prior to the Board meeting.

In addition to the rezoning request, the applicant requested a special exception to modify the regulations for sign area and sign height (See attachment H of the PC staff report). The PC recommended approval of the special exception to modify the regulations for sign area and sign height by a vote of 5:1 (Keller nay) (Firehock absent).

The PC also approved exceptions under the Subdivision Ordinance that allow the applicant to not install gutters, sidewalks, and planting strips on private streets that serve amenity-oriented lots (e.g., lots oriented to a common area). Under the Subdivision Ordinance, applications for exceptions are considered by the Board only if the PC denies the application or approves an exception with conditions that are objectionable to the subdivider.

Additionally, the applicant separately requested a special exception to reduce the minimum side setbacks in Block 31, and that request is being presented to the Board for its consideration as a separate agenda item on February 10, 2016. The applicant is most eager to have that request approved as soon as possible, and wanted to avoid any delay in the consideration of that special exception request.

DISCUSSION:

The applicant has made all of the changes requested by the PC to staff's satisfaction. The revised Code of Development, Application Plan, and Proffers are attached as Attachments A-C. The County Attorney has prepared the attached Ordinance to approve ZMA 201500001 (Attachment D) and the attached Resolution to approve the special exceptions to modify the regulations for sign area and sign height (Attachment E), reflecting the recommendation of the Planning Commission. The Planning Commission's action letter, staff report, and minutes from the December 15, 2015 meeting are also attached (Attachments F – H).

RECOMMENDATIONS:

Staff recommends that the Board adopt: 1) the attached Ordinance to approve ZMA201500001; and 2) the attached Resolution to approve the special exception to modify the sign area and sign height regulations.

ATTACHMENTS:

- A – Revised Code of Development
- B – Revised Application Plan
- C – Revised Proffers
- D – Ordinance approving ZMA 201500001
- E – Resolution approving special exception
- F – Planning Commission action letter
- G – Planning Commission staff report

H – Planning Commission minutes